

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Sami Restaurant, LLC
t/a Bistro 18
2420 18th Street NW
License No. 86876
Retailer CR
ANC 1C
Case No. 13-AUD-00063

Show Cause
Hearing
(Status)

March 19, 2014

The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Chairperson Ruthanne Miller presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MICHAEL SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

Walter Adams, OAG
Amy Schmidt, OAG

P-R-O-C-E-E-D-I-N-G-S

(9:49 a.m.)

CHAIRPERSON MILLER: Next case is
Bistro 18 located at 2420 18th Street NW.
License Number 86876, and ANC 1C.

MS. SCHMIDT: Good morning, Amy
Schmidt, Assistant Attorney General on behalf
of the District of Columbia.

CHAIRPERSON MILLER: Good morning.
Is anybody here from Bistro 18?

(No response)

CHAIRPERSON MILLER: Okay, Ms.
Schmidt, have you been in touch with the
licensee?

MS. SCHMIDT: I contacted their
attorney about this matter but I haven't heard
back from him though. And I've not heard back
from the establishment.

CHAIRPERSON MILLER: Okay.
There's another Bistro 18 case as well. Okay
let me deal with this one first then in the
same way I've been dealing with the other Show

1 Cause Status Hearings where the licensee
2 hasn't shown.

3 I want a note for the record that
4 Notice of the Hearing was dated January 29th,
5 2014. Was served on the licensee on January
6 31st, 2014. Licensee is not present. It's
7 9:51, it was called for 9:30, so I'm going to
8 go forward and schedule the Show Cause Hearing
9 for May 21st, 2014 at 10 0'clock a.m.

10 (Whereupon, the foregoing matter
11 went off the record at 9:51 a.m and went back
12 on the record at 10:51 a.m.)

13 CHAIRPERSON MILLER: Okay, I'm
14 just going to recall one Show Cause Status
15 Hearing Case. Saigon Bistro --

16 MS. SCHMIDT: No, Bistro 18.

17 CHAIRPERSON MILLER: Which one?

18 MS. SCHMIDT: Bistro 18

19 CHAIRPERSON MILLER: Bistro 18.

20 Whoops.

21 (Off the record comments)

22 CHAIRPERSON MILLER: I'm going to

1 try again. Bistro 18, okay. That's case
2 Number 13-AUD-00491. Bistro 18 located at
3 2420 18th Street NW. License Number 86876,
4 ANC 1C. Good morning.

5 MS. SCHMIDT: Good morning again.
6 Amy Schmidt, Assistant Attorney General on
7 behalf of the District of Columbia.

8 MR. GHULAIS: Good morning, Sami
9 Ghulais, the owner of the Bistro 18.

10 CHAIRPERSON MILLER: Okay.

11 MS. SCHMIDT: Madam, Chairman. As
12 a preliminary matter, I spoke to his attorney
13 this morning and I, so he can be here without
14 his attorney. His attorney he had spoken this
15 morning.

16 CHAIRPERSON MILLER: Okay, wait a
17 second just let me ask, wait, wait. Let me
18 just ask you the formal questions and then
19 we'll get to that. Did you receive Notice of
20 this Hearing?

21 MR. GHULAIS: Yes. By my lawyer,
22 he phoned me yesterday. He told me we'd been

1 settled, that the case has been settled with
2 Ms. Amy. And that's the reason why they
3 called back. When they told me, they call me
4 in the morning and told me, no you got to be
5 here. So I just come and I'm aware of this.
6 I'm here right now.

7 CHAIRPERSON MILLER: Okay.

8 MR. GHULAI: When she told that
9 it's settled with Ms. Amy.

10 CHAIRPERSON MILLER: Okay.

11 MR. GHULAI: My lawyer informed
12 me actually.

13 CHAIRPERSON MILLER: Okay. Did
14 you read and understand your notice?

15 MR. GHULAI: Yes.

16 CHAIRPERSON MILLER: Okay, right.
17 So that notice is part of the record of this
18 hearing. There being no objection. Now are
19 there are preliminary matters?

20 MS. SCHMIDT: Yes there is.

21 CHAIRPERSON MILLER: Okay.

22 MS. SCHMIDT: We want to present

1 an offer in compromise to the Board consistent
2 with a \$4500 fine, to be paid in 60 days.

3 There would be a \$2000 fine for Charge 1, and
4 a \$2500 charge for Charge 2.

5 CHAIRPERSON MILLER: Wait, let me
6 look at this. I'm not sure if I read the
7 right -- this is case Number 000 --

8 MEMBER BROOKS: Yes, you got the
9 wrong case number.

10 CHAIRPERSON MILLER: Yes, okay.
11 That other case was dismissed.

12 MALE PARTICIPANT: Yes.

13 CHAIRPERSON MILLER: Okay, so this
14 is case Number 13-AUD-00063. Okay. Could
15 you repeat the --

16 MS. SCHMIDT: Yes, the offer in
17 compromise is a \$4500 fine. \$2000 for Charge
18 1 and \$2500 for Charge 2.

19 CHAIRPERSON MILLER: Payable when?

20 MS. SCHMIDT: In 60 days.

21 CHAIRPERSON MILLER: Okay. Okay,
22 do you agree to that offer in compromise?

1 MR. GHULAIS: Yes, I do.

2 CHAIRPERSON MILLER: It's \$4500
3 total. \$2000 for the first offense. \$2500
4 for the second?

5 MR. GHULAIS: Yes.

6 CHAIRPERSON MILLER: Okay, and you
7 understand that you waive your right to a
8 hearing by entering into an offer in
9 compromise?

10 MR. GHULAIS: Yes, I understand.

11 CHAIRPERSON MILLER: Okay. Any
12 questions by Board Members?

13 MEMBER ALBERTI: I'm sorry, I may
14 have missed something. So you've only
15 mentioned two charges.

16 CHAIRPERSON MILLER: Yes, I think
17 there are only two charges. You're looking at
18 --

19 MEMBER ALBERTI: Oh, I'm sorry.
20 I'm looking at the wrong, I'm sorry I'm
21 looking at the wrong. It's hard when we get
22 these things out of order.

1 CHAIRPERSON MILLER: Right. It's
2 00063.

3 MEMBER ALBERTI: I don't need this
4 one, while we're on this case. Okay, very
5 good, thank you.

6 CHAIRPERSON MILLER: Okay. I move
7 that we accept this offer in compromise of
8 \$4500 total. \$2000 for the first violation.
9 \$2500 for the second violation. Payable
10 within 60 days.

11 MEMBER SILVERSTEIN: I second.

12 CHAIRPERSON MILLER: Mr.
13 Silverstein seconded the motion. All those in
14 favor say aye.

15 (Chorus of ayes)

16 CHAIRPERSON MILLER: All those
17 opposed?

18 (No response)

19 CHAIRPERSON MILLER: All those
20 abstaining?

21 (No response)

22 CHAIRPERSON MILLER: Motion passes

1 6-0-0. Okay, thank you very much. So --

2 (Off the record comments)

3 CHAIRPERSON MILLER: You guys
4 ready to go? Or you want a break? Ready to
5 with 12, if they're here?

6 MALE PARTICIPATE: I'm don't care,
7 take a break if you want to.

8 CHAIRPERSON MILLER: Want a three
9 minute break?

10 MALE PARTICIPATE: Sure.

11 CHAIRPERSON MILLER: Okay, our
12 next hearing's at 11:00 and it's 10:57.

13 MS. SCHMIDT: For the record. You
14 and the other party, there is a copy of the
15 OIC which I've given to Ms. Walker to copy for
16 you, so if you, so that you'll each have a
17 copy of the OIC. If that helps.

18 MALE PARTICIPATE: Excellent,
19 thank you.

20 CHAIRPERSON MILLER: Thank you.

21 MS. SCHMIDT: Oh. We also, some
22 reading while you're on your break.

1 MALE PARTICIPATE: Absolutely.

2 MS. SCHMIDT: Yes, we have the
3 security, we have a copy of the security file
4 also.

5 MALE PARTICIPATE: We're working
6 the whole time. Thank you.

7 CHAIRPERSON MILLER: So we'll
8 return within five minutes.

9 (Whereupon, the hearing in the
10 above-entitled matter was concluded at 10:57
11 a.m.)
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<hr/> A <hr/> \$2000 6:3,17 7:3 8:8 \$2500 6:4,18 7:3 8:9 \$4500 6:2,17 7:2 8:8 a.m 2:2 3:9,11,12 10:11 above-entitled 10:10 Absolutely 10:1 abstaining 8:20 accept 8:7 Adams 1:20 agree 6:22 ALBERTI 1:16 7:13,19 8:3 Alcoholic 1:2,11,12 Amy 1:20 2:6 4:6 5:2,9 ANC 1:8 2:5 4:4 anybody 2:10 Assistant 2:7 4:6 attorney 2:7,16 4:6 4:12,14,14 aware 5:5 aye 8:14 ayes 8:15	called 3:7 5:3 care 9:6 case 1:9 2:3,20 3:15 4:1 5:1 6:7,9,11 6:14 8:4 Cause 1:6 3:1,8,14 Chairman 4:11 Chairperson 1:13 1:16 2:3,9,12,19 3:13,17,19,22 4:10,16 5:7,10,13 5:16,21 6:5,10,13 6:19,21 7:2,6,11 7:16 8:1,6,12,16 8:19,22 9:3,8,11 9:20 10:7 charge 6:3,4,4,17 6:18 charges 7:15,17 Chorus 8:15 Columbia 1:1 2:8 4:7 come 5:5 comments 3:21 9:2 compromise 6:1,17 6:22 7:9 8:7 concluded 10:10 consistent 6:1 contacted 2:15 Control 1:2,11,12 copy 9:14,15,17 10:3 CR 1:8	Excellent 9:18 <hr/> F <hr/> favor 8:14 file 10:3 fine 6:2,3,17 first 2:21 7:3 8:8 five 10:8 foregoing 3:10 formal 4:18 forward 3:8 <hr/> G <hr/> General 2:7 4:6 Ghulais 4:8,9,21 5:8,11,15 7:1,5,10 given 9:15 go 3:8 9:4 going 3:7,14,22 good 2:6,9 4:4,5,8 8:5 guys 9:3 <hr/> H <hr/> hard 7:21 heard 2:16,17 hearing 1:7,12 3:4 3:8,15 4:20 5:18 7:8 10:9 hearing's 9:12 Hearings 3:1 HECTOR 1:18 helps 9:17	3:6 LLC 1:6 located 2:4 4:2 look 6:6 looking 7:17,20,21 <hr/> M <hr/> Madam 4:11 MALE 6:12 9:6,10 9:18 10:1,5 March 1:10 matter 1:5 2:16 3:10 4:12 10:10 matters 5:19 MEETING 1:3 Member 1:16,17,17 1:18,18 6:8 7:13 7:19 8:3,11 Members 7:12 mentioned 7:15 met 1:12 MICHAEL 1:17 Miller 1:13,16 2:3 2:9,12,19 3:13,17 3:19,22 4:10,16 5:7,10,13,16,21 6:5,10,13,19,21 7:2,6,11,16 8:1,6 8:12,16,19,22 9:3 9:8,11,20 10:7 minute 9:9 minutes 10:8 missed 7:14 morning 2:6,9 4:4 4:5,8,13,15 5:4 motion 8:13,22 move 8:6	NW 1:7 2:4 4:3 <hr/> O <hr/> OAG 1:20,20 objection 5:18 offense 7:3 offer 6:1,16,22 7:8 8:7 Oh 7:19 9:21 OIC 9:15,17 okay 2:12,19,20 3:13 4:1,10,16 5:7 5:10,13,16,21 6:10,13,14,21,21 7:6,11 8:4,6 9:1 9:11 opposed 8:17 order 7:22 owner 4:9 <hr/> P <hr/> P-R-O-C-E-E-D-... 2:1 paid 6:2 part 5:17 PARTICIPANT 6:12 PARTICIPATE 9:6,10,18 10:1,5 party 9:14 passes 8:22 Payable 6:19 8:9 phoned 4:22 preliminary 4:12 5:19 present 1:15,19 3:6 5:22 presiding 1:13 <hr/> Q <hr/> questions 4:18 7:12 <hr/> R <hr/> read 5:14 6:6 reading 9:22 ready 9:4,4 reason 5:2
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